

Application No. 09/902,529  
Filed: July 10, 2001  
TC Art Unit: 3724  
Confirmation No.: 6863

REMARKS

Reconsideration of the application, as amended, is respectfully requested. All objections and rejections are respectfully traversed.

The Examiner has objected to the drawings on two counts. First, the Examiner considers the reference numerals 8, 8a, 8b, 8f, and 8g in Fig. 3 to be improper since they represent modified versions of the features previously indicated by these characters. Accordingly, Fig. 3 has been amended as suggested by the Examiner and reference numerals 8, 8a, 8b, 8f, and 8g have been amended to 8a', 8b', 8f', and 8g', respectively. Second, the Examiner asserts that the reference letter "d" recited on page 6, line 26 is not depicted in the drawings. The Applicant respectfully points out that the reference letter "d" appears both in Figure 2 and in Figure 3.

The Examiner has objected to the Abstract as using the word "said" in several instances and in containing a sentence fragment "Fig.2" in the last line. The Abstract has been amended such that all occurrences of "said" have been changed to "the" and the fragment "Fig. 2" has been deleted. A clean copy of the Abstract page of the application has been provided herewith.

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Claims 1-7, 15, and 16 are rejected under 35 USC § 112, second paragraph, as being indefinite for failing to claim the subject matter which the Applicant regards as their invention. In particular, Claim 1 is rejected for the use of the vague and ambiguous phrase "by means of." Claim 1 is also rejected for the lack of antecedent basis of the term "the inner surface," Claim 1 has been amended to overcome these rejections.

Claims 1-7, 15, and 16 are rejected under 35 USC § 102(b) as being anticipated by European Patents 0 974 433 and 0 214 608 and French Patent 1,491,848. As amended, the Applicant believes that the claimed invention is patentably distinct over the prior art.

In particular, the Applicant believes that European Patent 0 974 433 fails to teach or fairly suggest that the recess of the perforated cylinder comprises a sharp edge. In addition, European Patent 0 974 433 fails to teach or fairly suggest that the and that the cutting of the non-woven sheet is performed through the combined actions of rotation and pressure. Rather, unlike the claimed invention, European Patent 0 974 433 teaches the use of cutting members that do not rely on the movement of the perforating member to cut the respective fibers or filaments.

The Applicant further asserts that European Patent 0 214 608 fails to teach or fairly suggest that the fibers or filaments are

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cut at all. Rather, European Patent 0 214 608 teaches that the fibers or filaments are only pushed back locally to create a recess and melt in order to delimit and consolidate the contours of the recess.

With respect to French Patent 1,491,848, the Applicant asserts that there is no teaching or suggestion of driving the perforation member in translation, to bring the fibers or filaments into contact with the perforation member, or in rotation to actually cut the fibers or filaments through the combined actions of rotation and pressure.

For the reasons set forth above, the Applicant asserts that independent claim 1 is patentably distinct over the cited prior art references and respectfully requests the reconsideration and allowance of this claim. Claims 2-7, 15 and 16 depend from claim 1 and are patentable for at least the same reasons as claim 1.

In view of the foregoing remarks and amendments, the Applicants respectfully submit that all present claims and the Application are in condition for allowance and such action is respectfully solicited.

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The Examiner is encouraged to telephone the undersigned attorney to discuss any matter that would expedite allowance of the present application.

Respectfully submitted,

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